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November 29, 2006

VIA ECFS

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street S.W.
Washington, D.C. 20554

Re: MB Docket No. 03-15
In the Matter of Second Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television
Supplement to Request for Waiver of July 1, 2006 Digital Replication Deadline
KDLH(TV), Duluth, Minnesota, Facility ID No. 4691

Dear Ms. Dortch:

Malara Broadcast Group of Duluth Licensee, LLC, licensee of KDLH(TV) and permittee of KDLH-DT, Duluth, Minnesota, Facility ID No. 4691 ("KDLH"), by its attorneys, hereby submits this supplement ("Supplement") to its request filed on June 30, 2006 for a waiver ("Waiver Request") and six month extension of the July 1, 2006 replication deadline applicable to stations outside of the top-100 markets ("Replication Deadline"). This Supplement provides additional information regarding KDLH's construction plans and describes new circumstances that will further delay construction.¹

Several recent events have led to further delays in KDLH's construction plans. Although the KDLH antenna arrived in March 2006, the required antenna

¹ In the Waiver Request, KDLH explained that it could not fully replicate its certified facilities primarily because: (i) its application for minor modification of its DTV construction permit remained pending; and (ii) it had to order a special antenna from Australia in order to not exceed the highly restrictive weight limitations on its tower.

pedestal did not arrive until mid-August 2006. Without the pedestal, KDLH's tower crew could not commence construction. Thus, the tower crew was removed from KDLH's Duluth, Minnesota site in May 2006 and sent to another station's site in Iowa. That crew was not able to return to Minnesota on a timely basis because of weather delays in Iowa. Unfortunately, installation now is not feasible in Minnesota due to the onset of winter weather, including frequent snows and high winds.² In KDLH's experience, construction projects of this type cannot be completed in the fall and winter months. Thus, because of consistent wintry weather, KDLH likely will have to wait until Spring 2007 in order to re-commence construction of its modified DTV facility.³

As set forth herein and in the Waiver Request, KDLH cannot complete construction of its DTV facilities due to circumstances beyond its control, including seasonably inclement weather, the pending status of its construction permit application, and delays in obtaining an appropriate antenna and pedestal. Thus, KDLH respectfully supplements and renews its request that the Commission grant a waiver and extension of the Replication Deadline. KDLH also renews its request that the Commission extend the term of its DTV STA so that KDLH may continue to serve its viewers with a digital signal.⁴

Please direct any questions or inquiries regarding this matter to the undersigned.


Very truly yours,

² Duluth, located on the north shore of Lake Superior, typically experiences harsh weather throughout the late fall and winter, including low temperatures, high winds, and significant snowfalls. *See, e.g.*, Duluth, Minnesota, Wikipedia, available at: http://en.wikipedia.org/wiki/Duluth%2C_Minnesota#Geography_.26_climate ("The city's climate is known for long, cold winters...During the winter months, temperatures often remain below freezing for periods of weeks. A normal winter brings consistent snow cover from December through March. Winter storms that pass south or east of Duluth can often set up easterly or northeasterly flow. Upslope lake-effect snow events can bring a foot or more of snow to the city.").

³ This estimate assumes that KDLH's pending construction permit application is granted in a timely fashion. *See* FCC File No. BMPCDT-20060519AAE.

⁴ Per the informal advice of the FCC staff, KDLH filed a separate letter request seeking extension of its DTV STA.

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Stuart A. Shorenstein, Esq.

cc: Shaun Maher, Esq. (via e-mail)